

STATEMENT OF P.O. JOSEPH McELLIGOTT

CONDUCTED BY INVESTIGATOR KILLEN

ON OCTOBER 21, 2014 AT 0436 HOURS

AT AREA CENTRAL POLICE HEADQUARTERS

LOG # 1072125  
Attachment # 144

1 KILLEN: This is the, this is the audio recorded interview  
2 of Officer Joseph McElligott regarding Log number  
3 1072125 U number 14 dash 36. Today is the 21st  
4 of October 2014. And the time is approximately  
5 0436 hours. This statement is bein' taken at  
6 Area Central Police Headquarters. My name is  
7 Investigator Killen, that's spelled K I L L E N.  
8 My star number is 1 2 9. Uh also present in the  
9 room is uh FOP attorney Dan Herbert. Dan if you  
10 would say and spell your first and last names.

11 HERBERT: Dan, D A N, Herbert, H E R B E R T.

12

13 KILLEN: And then FOP Representative Kato, uh Kriston  
14 Kato.

15 KATO: First name is Kriston, K R I S T O N. Last name  
16 K A T O. FOP Field Representative.

17

18 KILLEN: And Officer McElligott if you would say and spell  
19 your first and last names for me.

20 P.O.MCELLIGOTT: Joseph McElligott, J O S E P H,  
21 McElligott, M C E L L I G O T T.

22

23 KILLEN: Okay and what's your star number?

24 P.O.MCELLIGOTT: 1 8 7 1 5. (noise)

25

26 KILLEN: And your employee number?

27 P.O.MCELLIGOTT: [REDACTED]

28

29 KILLEN: And your date of appointment with the Department?

30 P.O.MCELLIGOTT: 27 August '01.

31

32 KILLEN: And your date of birth?

1 P.O.MCELLIGOTT: [REDACTED]

2

3 KILLEN: And your current unit of assignment?

4 P.O.MCELLIGOTT: The 8<sup>th</sup> District.

5

6 KILLEN: And how long you been in 8<sup>th</sup> District?

7 P.O.MCELLIGOTT: Seven years.

8

9 KILLEN: All right. Now you're aware that this statement  
10 has the standing of an official Department  
11 report. And that any intentional falsification  
12 of any answer to any question would be in direct  
13 violations of rules and regulations?

14 P.O.MCELLIGOTT: Yes.

15

16 KILLEN: Given that, I'd like to remind you that failure  
17 to provide a complete and accurate account of  
18 this incident could result in a finding of a  
19 violation of Rule 14 with discipline leading up  
20 to and including separation from the Chicago  
21 Police Department. Do you understand that?

22 P.O.MCELLIGOTT: Yes.

23

24 KILLEN: All right what was your duty status and  
25 assignment on 21 October or 20 October 2014 at  
26 approximately 2150 hours?

27 P.O.MCELLIGOTT: This statement is not being given  
28 voluntarily but under duress. I am only givin'  
29 this statement because I know I will be fired if  
30 I refuse.

31

1 KILLEN: All right so what was your duty status and  
2 assignment last night at (someone coughs) 2150  
3 hours?

4 P.O.MCELLIGOTT: Full duty.

5

6 KILLEN: Okay. What time you start work last night?

7 P.O.MCELLIGOTT: Uh 2100.

8

9 KILLEN: Is that your normal start time?

10 P.O.MCELLIGOTT: Yes.

11

12 KILLEN: Okay and you remember what beat you were  
13 assigned?

14 P.O.MCELLIGOTT: 815 Robert.

15

16 KILLEN: Okay and were you assigned a partner?

17 P.O.MCELLIGOTT: Yes.

18

19 KILLEN: And who's your partner?

20 P.O.MCELLIGOTT: Uh Thomas Gaffney.

21

22 KILLEN: All right and you and Officer Gaffney you guys  
23 were assigned a vehicle?

24 P.O.MCELLIGOTT: Yes.

25

26 KILLEN: And what kinda vehicle?

27 P.O.MCELLIGOTT: It's a Chevy Tahoe.

28

29 KILLEN: Marked?

30 P.O.MCELLIGOTT: Yes,

31

1 KILLEN: Okay and you and Officer Gaffney are in full  
2 uniform?

3 P.O.MCELLIGOTT: Yes.

4

5 KILLEN: Okay and then at about 2150 hours at about 41<sup>st</sup>  
6 and Pulaski you and uh Officer Gaffney were  
7 witnesses to a police-involved shooting correct?

8 P.O.MCELLIGOTT: Correct.

9

10 KILLEN: All right and if you would just um from the  
11 beginning explain to me what happened?

12 P.O.MCELLIGOTT: Uh we responded to a call of holding  
13 the offender at uh 4100 on Karlov. And um I  
14 don't know I forget the exact address.

15

16 KILLEN: So you received this, you say responded to the  
17 call. You got a call uh via OEMC?

18 P.O.MCELLIGOTT: Yes.

19

20 KILLEN: All right so over the radio you get a call.

21 P.O.MCELLIGOTT: Holding the offender um somebody's  
22 stealing radios out of semi trucks.

23

24 KILLEN: Okay. Do you re, do you remember where you and  
25 uh, where were you and Officer Gaffney when you  
26 got that call?

27 P.O.MCELLIGOTT: Um we're somewhere along Archer around  
28 Kostner.

29

30 KILLEN: Okay. So you're south of 41<sup>st</sup> and Kildare?

31 P.O.MCELLIGOTT: Correct.

32

1 KILLEN: And Officer Gaffney's the driver?

2 P.O.MCELLIGOTT: He is the driver, yes.

3

4 KILLEN: So you guys head over to that --

5 P.O.MCELLIGOTT: So we head over, we take Kostner up and  
6 then uh take 47<sup>th</sup> to Kildare.

7

8 KILLEN: Okay. And what happens when you get there?

9 P.O.MCELLIGOTT: Um a male Hispanic and a female  
10 Hispanic um we pull up to the address and they  
11 said um that a male black wearin' a black shirt  
12 was in the, tryin' to steal the radios outta the  
13 semi. Um he was holding a, a white cord to like  
14 a phone, like a charger. And he said he's got my  
15 phone. So then he said he's right around the  
16 corner. (clears throat) So then we, we drive  
17 north to 40<sup>th</sup> Street and we turn right and then we  
18 see a male black with a black shirt.

19

20 KILLEN: Okay and what's he doin'?

21 P.O.MCELLIGOTT: He's standing there and then he kinda  
22 turns around when he sees us pull up.

23

24 KILLEN: And what happens?

25 P.O.MCELLIGOTT: At that point I got outta the car and  
26 I'm giving 'em commands to stop, turn around.  
27 And I noticed he has his left hand in his pocket  
28 like in a ball. And in his right hand he's  
29 holding something else. And then I tell 'em take  
30 his hands out of his pockets; let me see your  
31 hands. He doesn't take his hands --

32

1 KILLEN: So at this point is he, his back is to you?

2 P.O.MCELLIGOTT: He's facing me at this point.

3

4 KILLEN: Okay.

5 P.O.MCELLIGOTT: And then he starts turning and walking  
6 away. And he's holding one arm out and one hand  
7 in his pocket. He continues to walk and uh then  
8 he turns again he takes both his hands out and,  
9 and at that point he has a knife in his right  
10 hand as if he just opened it up, like flipped it  
11 open and he's holdin' his hand. At that point I  
12 drew my weapon I tell 'em to drop the knife. Um  
13 he kinda has this look in his eye like, like  
14 maybe he's on some sorta drugs cause it was like  
15 his eyes like rolled back. And then he walked,  
16 he started walking east again with his hands out  
17 and then he's kinda like kinda makin' motions  
18 from side to side. He's kinda all over. Goes  
19 from the street to the, to the sidewalk. And the  
20 whole time my partner is kinda paralleling me.  
21 And he's driving and I'm had my flashlight on 'em  
22 and I'm tellin' 'em to stop. Tellin' 'em to  
23 drop, drop the weapon. Drop the knife.

24

25 KILLEN: So you're on foot correct?

26 P.O.MCELLIGOTT: I'm on foot, walking.

27

28 KILLEN: And Officer Gaffney --

29 P.O.MCELLIGOTT: Walking with some distance between me.

30

31 KILLEN: You're behind him correct?

32 P.O.MCELLIGOTT: I'm yeah I'm behind him.

1

2 KILLEN: Behind the offender?

3 P.O.MCELLIGOTT: Yes.

4

5 KILLEN: And Officer Gaffney's paralleling him in the car?

6 P.O.MCELLIGOTT: He's, he's kinda like as far as I am.  
7 Like he's like to my right just a lil bit.

8

9 KILLEN: Okay.

10 P.O.MCELLIGOTT: Or to my left just a lil bit. Um --

11

12 KILLEN: Do you close the distance on this guy?

13 P.O.MCELLIGOTT: We just continue to follow 'em. And um  
14 then he, at one point (inaudible) my partner  
15 decides to pull towards him. And uh at that  
16 point he, the offender turned and like in a  
17 downward stabbing motion popped the front tire.  
18 My partner um at that point said that he popped  
19 the tire. Prior to that though um he had asked  
20 for an assist.

21 HERBERT: (inaudible)

22 P.O.MCELLIGOTT: He'd asked for somebody to come with a  
23 taser. So as we're like tryin' to buy time this  
24 happens with the, the tire at uh Keeler. And  
25 then um we go a lil bit further and he decide, my  
26 partner decides to pull closer to 'em to kinda  
27 cause he knew Pulaski was comin' up and there was  
28 Burger King and there's a bunch a other stuff  
29 where people are. Decides to pull over a lil bit  
30 (noise) kinda to veer 'em off so that he'll go up  
31 one of the streets cause it's, it's a factory  
32 area. And we know it's always like pretty bare.

1           There's nobody around. Um it's after hours. At  
2           that point he um he, he grabs the knife and he,  
3           he stabs at the, the windshield. So um then he  
4           starts walkin' away. Stabbed at the windshield  
5           then he walks away from the squad car. And he's  
6           walkin' on the sidewalk again. And then um we  
7           can hear the cars comin'. And then once we can  
8           kinda see (noise) in the windows we could see  
9           the, the blue lights in the reflection and you  
10          could hear the, you could hear the sirens now.  
11          (noise) That's when he decides to take off  
12          runnin'. He just full on sprint. Uh I started  
13          runnin' after 'em. My partner's driving the car  
14          that has a flat. He's goin' after 'em too. He  
15          goes through two semis were parked in the back of  
16          the Burger King lot at 40<sup>th</sup> and Pulaski. He goes  
17          through, I go through and then I see another  
18          squad car pull. They're right behind 'em. They  
19          pull behind 'em, he goes through a sidewalk and  
20          then they go, they go around through and they  
21          (clears throat) they cut through on the sidewalk  
22          as well. Around the north side of Burger King.  
23          And then I'm followin' up running and as I get to  
24          Pulaski I turn right cause they all turned right.  
25          (clears throat) And I got to about the light  
26          (noise) I could see a bunch of squad cars comin'.  
27          And um (clears throat) I keep runnin' (noise) and  
28          then one of 'em is, he's lookin' to do a U turn,  
29          one of the other squad cars. Um so instead of  
30          getting hit I just stopped and I waved them to  
31          go. (noise) (clears throat) And at that point he  
32          turned around he, he's goin' um southbound slowly

1           so I know they're, they're stopping right there.  
2           I hear the shots at that point. And uh when I  
3           approach I think I was running down maybe the  
4           middle that's when I saw the offender layin' on  
5           the ground. And at that point Joe Walsh, Officer  
6           Walsh uh he kicked, he the gun outta, or not the  
7           gun the uh the knife out of his, his right hand.  
8           (noise) Which he was still clenching at the time.  
9           And then um (noise) asked for an ambulance and  
10          that was pretty much it.

11

12 KILLEN: (clears throat) So when you guys, you're on 40<sup>th</sup>  
13           and you see, you're kinda walkin' with this guy  
14           right? You see 'em with the knife?

15 P.O.MCELLIGOTT:        Hmm huh.

16

17 KILLEN:       Right?

18 P.O.MCELLIGOTT:       Yes.

19 HERBERT:   Say yes.

20

21 KILLEN:   So and you see 'em uh uh you described it as a  
22           down motion, he stabbed the tire of the car  
23           right?

24 P.O.MCELLIGOTT:        Hmm huh.

25

26 KILLEN:   That's the --

27 P.O.MCELLIGOTT:       Yes.

28

29 KILLEN:   -- front passenger tire correct?

30 P.O.MCELLIGOTT:       Front passenger tire.

31

1 KILLEN: Okay and then you also saw 'em stab the  
2 windshield?

3 P.O.MCELLIGOTT: Yeah.

4

5 KILLEN: Right.

6 P.O.MCELLIGOTT: Yes.

7

8 KILLEN: Okay. Uh and you may have said it and I may have  
9 missed it, but did you or uh Officer Gaffney get  
10 on the radio and say hey this guy's armed. He's  
11 got a knife?

12 P.O.MCELLIGOTT: Yes. Um it was before he said he  
13 popped the tire um my partner got on the radio  
14 and said (clears throat) said this guy has a  
15 knife. Can you send somebody with a taser over  
16 here. And then (inaudible) lil time passed by  
17 and then (clears throat) that's when the tire  
18 incident.

19

20 KILLEN: Okay.

21 P.O.MCELLIGOTT: And then another five, ten seconds  
22 (noise) went by and (noise) attacked the car,  
23 stabbed the windshield.

24

25 KILLEN: So you're, you were warning everybody ahead a  
26 time?

27 P.O.MCELLIGOTT: Yes.

28

29 KILLEN: Before you got anything, he had the knife in his  
30 hand.

31 P.O.MCELLIGOTT: Yes. It started with uh we asked for a  
32 taser. We said he had a knife. And then we were

1 giving uh kinda like a play by play (noise) stab,  
2 he stabbed our tire, he just popped our tire.  
3 And, you know and they're askin' if anybody's  
4 heading over there. And we're just waitin' for  
5 the assist cars to come.

6

7 KILLEN: And I take it you don't carry a taser?

8 P.O.MCELLIGOTT: I do not.

9

10 KILLEN: And then neither does Officer Gaffney correct?

11 P.O.MCELLIGOTT: No.

12

13 KILLEN: Okay, So then you basically follow 'em all the  
14 way to Pulaski I take it. Karlov then Keeler  
15 somethin' like that.

16 P.O.MCELLIGOTT: Basically yeah. It was --

17

18 KILLEN: And then when the other car comes --

19 P.O.MCELLIGOTT: At that point he was (noise) he darted  
20 towards Pulaski.

21

22 KILLEN: Okay.

23 P.O.MCELLIGOTT: From Karlov to Pulaski he was full on  
24 sprinting and I was running after 'em.

25

26 KILLEN: And you're after 'em. When he went between the  
27 trucks you went between the trucks with 'em?

28 P.O.MCELLIGOTT: Yeah.

29

30 KILLEN: Okay so then when he got to Pulaski he goes  
31 south?

1 P.O.MCELLIGOTT: When he got to Pulaski yeah he head, he  
2 went south around, he wrapped around the buildin'  
3 and (noise) then Burger King.

4

5 KILLEN: And whaddid you mean cause you lost me when you  
6 said somebody wanted to make a U turn so you let  
7 them go ahead of you.

8 P.O.MCELLIGOTT: There were cars coming northbound on  
9 Pulaski to assist. And they passed up, they  
10 passed him up and then came back around.

11

12 KILLEN: Oh I gotcha. Okay so he's goin' south --

13 P.O.MCELLIGOTT: They made a U turn --

14

15 KILLEN: I gotcha.

16 P.O.MCELLIGOTT: Yeah they passed him up and turned  
17 around. I don't know if they didn't see 'em or  
18 if, what their reasoning was, but they, they made  
19 a U turn and they turned kinda like right at me  
20 and I just said go and I waved 'em.

21

22 KILLEN: Now is he in the street at this time? He is  
23 runnin' in the street or is he on the sidewalk?

24 P.O.MCELLIGOTT: I didn't see him at that point I didn't  
25 see him because there were other squad cars in  
26 front a me. And I don't want, I finally saw him  
27 I was in the median and I ran up towards him and  
28 that's when at that point he was already down and  
29 the officer, other officer was kickin' the gun,  
30 uh knife away.

31

1 KILLEN: So were you on the median when you heard the  
2 gunshots?

3 P.O.MCELLIGOTT: I was, I heard the gunshots. There's a  
4 traffic light. I heard the gunshots while I was  
5 at the traffic light. And then I waved, waved  
6 the other car to go and then um by the time I got  
7 there there were no more shots.

8

9 KILLEN: At the time did you know who was shooting?

10 P.O.MCELLIGOTT: No I did not.

11

12 KILLEN: You didn't see anybody shooting anything like  
13 that?

14 P.O.MCELLIGOTT: No.

15

16 KILLEN: Okay. So by the time you got you said then he's  
17 already, the offender's already on the ground?

18 P.O.MCELLIGOTT: Yes.

19

20 KILLEN: Is he on his, is he on his back, (noise) his  
21 stomach? How's he --

22 P.O.MCELLIGOTT: He was kinda on his side. On his right  
23 side.

24

25 KILLEN: And you said he still had the knife?

26 P.O.MCELLIGOTT: Yeah he was holdin' it. (noise)

27

28 KILLEN: In his right hand?

29 P.O.MCELLIGOTT: In his right hand.

30

31 KILLEN: And that was Officer Walsh kicked it from his  
32 hand?

1 P.O.MCELLIGOTT: Yeah.

2

3 KILLEN: Okay. And what happens he's placed in custody?

4 P.O.MCELLIGOTT: Then he was, well he was obviously  
5 down, he wasn't movin' anywhere. We're  
6 surrounding him and that's (noise) (inaudible)  
7 come.

8

9 KILLEN: Okay. I mean after the knife gets kicked outta  
10 his hand, does anybody touch it to your  
11 knowledge?

12 P.O.MCELLIGOTT: No.

13

14 KILLEN: Do you ever touch it?

15 P.O.MCELLIGOTT: I didn't touch it.

16

17 KILLEN: Okay. So you didn't see, you didn't see Officer  
18 Van Dyke discharge his weapon at the offender  
19 correct?

20 P.O.MCELLIGOTT: No I saw 'em holding his weapon.

21

22 KILLEN: Right.

23 P.O.MCELLIGOTT: Just kinda (inaudible) (noise)

24

25 KILLEN: You heard gunshots but you didn't see --

26 P.O.MCELLIGOTT: Correct.

27

28 KILLEN: Okay. Anything you'd like to add?

29 P.O.MCELLIGOTT: No.

30

31 KILLEN: Everything you told me is a true and accurate  
32 account of what occurred?

1 P.O.MCELLIGOTT: Yes.

2

3 KILLEN: All right this will conclude the audio recorded  
4 interview of Officer uh Joseph McElligott  
5 regarding Log number 1072125 U number 14 dash 36.  
6 Today is the 21<sup>st</sup> of October 2014 and the time is  
7 approximately 0451 hours.

1

2

3

4 I, CAROL A. O'LEARY, do hereby certify or affirm that  
5 I have impartially transcribed the foregoing from an audio  
6 recording of the above-mentioned proceeding to the best of  
7 my ability.

8

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Carol A. O'Leary